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E.O. 12958: DECL: 10/01/2032
TAGS: [PGOV](#) [PINR](#) [KISL](#) [NI](#)
SUBJECT: (S/NF) UPDATE: SOKOTO SHIA LEADER FACES DEATH
PENALTY ON TRUMPED UP CHARGES

REF: A. ABUJA 1630
[B](#). 1558

Classified By: CDA Lisa Piascik for Reasons 1.4 (b), (c), & (d).

[1](#)1. (S//NF) SUMMARY: Inuwa Abdul-Qadir (strictly protect), Sokoto state Attorney General, intimated that Sokoto Shia leader Kasimu Rimin Tawaye remains remanded in prison custody following the July murder of outspoken Sunni scholar Umaru Dan-Maishiya. While Tawaye has not been charged with Dan-Maishiya's murder, Abdul-Qadir informed, evidence obtained through the interrogation of two others implicated in Dan-Maishiya's killing, incriminates Tawaye and several members of Sokoto's minority Shia community in a string of unrelated offenses. Abdul-Qadir disclosed that the State Security Services (SSS) discovered two training camps on the outskirts of Sokoto metropolis, where Tawaye, et al. likely received combat training. The SSS concomitantly uncovered a plot to target three other Sunni scholars in Sokoto as well as caches of weapons during a raid of the group's alleged headquarters in Sokoto. Under the guise of the Public Order Act, Abdul-Qadir disclosed, the headquarters will be razed along with several other homes in Sokoto belonging to declared members of the Islamic Movement in Nigeria.

[1](#)2. (S//NF) SUMMARY CONT'D: While Tawaye and several other Shia detainees, at this stage, can be tried and convicted for certain rather minor offenses, Abdul-Qadir averred, Tawaye presents such a "grave, imminent" threat that, if unchecked, will assuredly "strike again" and therefore, should face more substantial charges, which carry heftier penalties including death. Clearly, and as Post predicted, the authorities are using the killing of Dan-Maishiya as a pretext for a crackdown on the Shia presence in Sokoto. (Comment: We question whether such a crackdown is necessary and are concerned that it may be counter-productive. End Comment).
END SUMMARY.

[1](#)3. (S//NF) On October 9, PolOff spoke with Attorney General of Sokoto state, Barrister Inuwa Abdul-Qadir (strictly protect), regarding the status of the July arrest and detention of prominent Shia leader Kasimu Rimin Tawaye and several members of Sokoto's minority Shia community (Ref A). While Tawaye and 112 other Shia individuals were arrested in connection with the July 18 killing of Sunni scholar Umaru Hamza Dan-Maishiya (Ref B), no formal charges linking Tawaye or the others to the murder have been filed. Two persons -- one seen fleeing the scene of Dan-Maishiya's murder who was

later apprehended and another wounded in the altercation that ensued between Sunni congregants at Dan-Maishiya's mosque -- have been charged with Dan-Maishiya's murder. At the same time, however, Abdul-Qadir confided that new evidence, including information yielded through the interrogation of these two, directly implicates Tawaye and several of the 112 Shia arrestees in a string of unrelated offenses. Abdul-Qadir confirmed that Tawaye and several other Shia persons were formally arraigned on minor offenses in late July at the Sokoto State magistrate's court, denied bail on multiple occasions, and remain in prison. (Note: In Nigeria, magistrates' courts have limited jurisdiction, and only over minor offenses. Cases involving homicide can be heard only by a High Court. End Note.)

14. (S//NF) With Tawaye and others behind bars, the security services are continuing to gather evidence and build a case. Abdul-Qadir confided that the State Security Services (SSS) discovered two training camps on the outskirts of Sokoto metropolis (nestled in a remote, hilly area approximately 40 miles outside Sokoto), where several members of Sokoto's Shia community, possibly including Tawaye, apparently received combat training. Abdul-Qadir divulged that bows, arrows, and possibly AK-47s were recovered at the training grounds. The SSS concomitantly uncovered a plot to target three other Sunni scholars in Sokoto as well as caches of weapons, during a raid of the group's alleged headquarters in Sokoto.

15. (S//NF) The Sokoto state government announced plans on October 8 to demolish the presumed Shia "headquarters" in Sokoto known as the "markaz". According to Abdul-Qadir, while the markaz compound belongs to the Tawaye family and has been bequeathed through the generations to the family's male heirs, the compound's location in a densely populated,

Sunni area of Sokoto city classifies it as a "threat to public safety." Consequently, under the authority of the Land Use Act, Abdul-Qadir disclosed, the markaz will be razed along with several other homes belonging to declared members of the Sokoto Shia community, also known as the Islamic Movement in Nigeria.

16. (S//NF) While Tawaye and several of the Shia detainees, at this stage, can be tried and convicted under the Public Order Act for offenses such as unlawful assembly with a deadly weapon, Abdul-Qadir averred, Tawaye presents such a "grave, imminent" threat that, if unchecked, will assuredly "strike again" and therefore, should face more substantial charges, which carry heftier penalties including death. Abdul-Qadir noted that several Shia remain ready and willing to "strike at any time." He noted the SSS arrested several Shia who attempted to demonstrate on October 5 in commemoration of Quds Day (the 25th day of Ramadan which honors late Iranian leader Imam al-Khomeini). Admittedly, Abdul-Qadir confessed, although neither Tawaye nor any of the other 112 rounded up denies involvement in the training camp or in assembling at the markaz or the Shehu Usman dan Fodio Mosque following Dan-Maishiya's killing, evidence directly connecting any of these persons to Dan-Maishiya's homicide itself remains scant and inconclusive.

17. (S//NF) Abdul-Qadir, acknowledging the torpid pace of the criminal justice system in Nigeria, contended the trial of Tawaye and his alleged associates would commence in late October to allow the police and other security services to complete their investigation. Abdul-Qadir, as the prosecutor in this case, told PolOff he will charge Tawaye with several serious, though purposely vague offenses including conspiracy to commit homicide, which carries the death penalty. Tawaye and his alleged associates, Abdul-Qadir assured, had adequate legal representation, though he bemoaned the intransigence with which Tawaye's legal counsel had approached the case. In particular, Tawaye's lawyers have refused to recognize the Nigerian justice system as a court competent and authorized to hear the case, failed to remit a response to the Attorney General's allegations, and declined to appear before the High Court for pre-trial.

¶18. (S//NF) Abdul-Qadir admitted that his contempt for Tawaye goes back to the 2005 incident in which several Shia were implicated in the botched takeover of the Sultan Bello Mosque in Sokoto. Then, Abdul-Qadir attempted to charge Tawaye and several other Shia with murder for the death of many Sunni congregants, who were killed during the incident. At that time, however, Abdul-Qadir lamented, material evidence in the case was "deliberately lost" and the perpetrators of the takeover were never brought to justice. Abdul-Qadir believes then-Governor Attahiru Bafarawa played an instrumental role in the failure of the case because he was alleged to be a member of the Islamic Movement in Nigeria at the time.

¶19. (U) NOTE: The Islamic Movement in Nigeria, led by Zaria-native Ibrahim al-Zakzaky, continues to allege that the killing of Dan-Maishiya was committed by "unknown assassins believed to be government agents." The Movement's website details the names of individuals whose properties have been confiscated and/or destroyed by the Sokoto state government. The website also claims that the High Court is allowing the prosecutor in the case to "delay justice" by granting the police extensions of time to continue gathering evidence. Moreover, the website alleges that the 112 detained members of the group in Sokoto are receiving "inhuman, degrading" treatment in prison. END NOTE.

¶10. (S//NF) COMMENT: Clearly, and as Post predicted, the authorities are using the killing of Dan-Maishiya as a pretext to round-up key Shia individuals, and perhaps eliminate the Shia presence in Sokoto. While the evidence implicating Tawaye (or any of the 112 Shia detainees) remains scant and inconclusive, by Abdul-Qadir's own admission, his personal contempt for Tawaye fundamentally undermines his impartiality, and brings into question whether Tawaye will receive a fair trial.

¶11. (S//NF) COMMENT CONT'D: Abdul-Qadir's antipathy for Tawaye and the ideology of the Islamic Movement in Nigeria is shared by vast segments of northern Nigeria's Muslim lay and

clerical population. Therefore, playing to endemic disaffection for the Shia movement in Sokoto is likely to be politically popular. We question, however, whether this is necessary. The Islamic Movement is quickly waning in influence and salience, in part, because Nigeria's Muslims are historically Sunni, but also because there are more acceptable alternatives to prevalent, "establishment" Islamic movements in the North. In addition, clamping down on the Shia community in Sokoto, particularly without seemingly legitimate evidence and in as brazen a manner as is being attempted, may only embolden the community's supporters to respond with violence, if provoked. END COMMENT.

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